

United States District Court, Eastern District of New York

UNITED STATES OF AMERICA

ORDER SETTING CONDITIONS OF RELEASE
AND APPEARANCE BONDV.
FRANK SAPPEL, Defendant.Case Number: 16-mj-938RELEASE ORDER

It is hereby ORDERED that the above-named defendant be released subject to the Standard Conditions of Release on the reverse and as follows:

- ☐ Upon Personal Recognizance Bond on his/her promise to appear at all scheduled proceedings as required, or
☒ Upon Bond executed by the defendant in the amount of \$ 250,000, and secured by ☐ financially responsible sureties listed below and/or ☒ collateral set forth below.

Additional Conditions of Release

The Court finding that release under the Standard Conditions of Release on the reverse will not by themselves reasonably assure the appearance of the defendant and/or the safety of other persons and the community, IT IS FURTHER ORDERED as follows:

- ☒ 1. The defendant must remain in and may not leave the following areas without Court permission: ☒ New York City; ☒ Long Island, NY; ☐ New York State; ☐ New Jersey; MANHATTAN + SDNY and travel to and from this Court and the permitted areas.
- ☐ 2. The defendant must avoid all contact with the following persons or entities: _____
- ☐ 3. The defendant must avoid and not go to any of the following locations: _____
- ☒ 4. The defendant must surrender all passports to Pretrial Services by DONE and not obtain other passports or international travel documents.
- ☒ 5. The defendant is placed under the supervision of the Pretrial Services Agency subject to the Special Conditions on the reverse and:
- a. is subject to random visits by a Pretrial Services officer at defendant's residence and/or place of work;
- b. must report ☒ as directed by Pretrial Services or ☐ in person _____ times per _____ and/or ☐ by telephone _____ times per _____
- c. must undergo ☐ testing, ☐ evaluation and/or ☐ treatment for substance abuse, including alcoholism, as directed by Pretrial Services.
- d. must undergo evaluation and treatment for mental health problems, as directed by Pretrial Services.
- e. is subject to the following location restriction program with location monitoring, as directed by Pretrial Services:
- ☐ home incarceration: restricted to home at all times, except for attorney visits, court appearances and necessary medical treatment;
- ☒ home detention: restricted to home at all times, except for attorney visits, court appearances, medical treatment, ☒ religious services, ☒ employment, ☐ school or training, ☒ other activities approved by Pretrial Services, NECESSARY ERRANDS (grocery store, etc.) m
- ☐ curfew: restricted to home every day from _____ to _____, or ☐ as directed by Pretrial Services. approved by PTSA.
- ☒ Defendant must pay all or part of the cost of any required testing, evaluation, treatment and/or location monitoring with personal funds, based upon ability to pay as determined by the Court and the Pretrial Services Agency, and/or from available insurance.
- ☐ 6. Other Conditions: _____

APPEARANCE BONDI, the undersigned defendant, and each surety who signs this bond, acknowledge that I have read this Appearance Bond and, and have either read all the other conditions of release or have had those conditions explained. I further acknowledge that I and my personal representatives, jointly and severally, are bound to pay the United States of America the sum of \$ 250,000 and that this obligation is secured with the below interest in the following property ("Collateral") which I represent is/are free and clear of liens except as otherwise indicated: DEFENDANT IN AMT. OF

- ☒ cash deposited in the Registry of the Court in the sum of \$ 250,000 (TO BE DEPOSITED BY \$140,000 & BY SURETOR IN AMT. OF \$110,000)
- ☐ premises located at: _____ owned by _____
- ☐ I also agree to execute a confession of judgment, mortgage or lien in form approved by the U.S. Attorney which shall be duly filed with the proper local and state authorities on or before _____

Each owner of the above Collateral agrees not to sell the property, allow further claims or encumbrances to be made against it, or do anything to reduce its value while this Appearance Bond is in effect. Nov. 10, 2016

Forfeiture of the Bond. This Appearance Bond may be forfeited if the defendant fails to comply with any of the conditions set forth above and on the reverse. The defendant and any surety who has signed this form also agree that the court may immediately order the amount of the bond surrendered to the United States, including any security for the bond, if the defendant fails to comply with the above agreement. The court may also order a judgment of forfeiture against the defendant and against each surety for the entire amount of the bond, including any interest and costs. Date

Address: _____

, Surety

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release and of the penalties and sanctions set forth on the front and reverse sides of this form.

Release of the Defendant is hereby ordered on 11/2/16 2016

Signature of Defendant

/s/ Anne Y. Shields, USMJ

Distribution: Canary - Court Pink - Pretrial Services Goldenrod - Defendant

Defendant: SAPPEL, FRANKDkt. No. 16-MJ-938Supplemental Conditions of Release

The Court finding that additional conditions of release are necessary to assure the safety of the community, IT IS FURTHER ORDERED that the defendant is subject to the following conditions of release:

- ☒ 7. The defendant shall not have any contact or association with any person under the age of 18, except when the minor is in the presence of another adult who is the parent or legal guardian of the minor. The defendant may not communicate with any person under the age of 18 in writing, over the telephone or via any electronic means except for communications with the following:
- ☐ the defendant's biological children or minor-aged legal dependents;
 - ☐ the defendant's biological children or minor-aged legal dependents, but contingent upon the completion of a mental health evaluation specific to the offense indicating the defendant does not pose a danger to such persons.
- ☒ 8. The defendant shall avoid areas frequented by children under the age of 18, including school yards, parks, playgrounds, fast food restaurants near schools and arcades.
- ☐ 9. Maintain residence at a location approved by Pretrial Services, or
- ☐ the defendant must reside at _____
- ☐ 10. The defendant must avoid all contact, direct or indirect, with any person who is or who may become a victim or potential witness in the subject investigation or prosecution.
- ☒ 11. The defendant must undergo a mental health evaluation and or treatment specific to the offense charged, as directed by the U.S. Pretrial Services Agency.
- ☒ 12. The defendant may not use a computer and/or access the Internet through any means, except for the following:
- ☒ computer use and internet access is permitted only as may be necessary for employment or school purposes, with the prior approval of Pretrial Services, but not for employment involving contact with any individual under the age of 18.
 - ☒ computer use and internet access is permitted only as may be necessary to communicate with Pretrial Services, defense counsel, treatment provider, or anyone else with prior approval from Pretrial Services.

If access to the Internet is permitted, the defendant may have only one email address and must give Pretrial Services access to the account.

- ☒ 13. The U.S. Pretrial Services Agency may inspect any computer or device with Internet access, data and storage media devices, and/or external hard drives belonging to the defendant or located within his residence or privately owned business, and install computer monitoring software as deemed appropriate. The defendant must pay all or part of the cost of the monitoring software installed, subject to his ability to pay, as determined by the U.S. Pretrial Services Agency.
- ☒ 14. Other: DO NOT possess a firearm, can not have access to any device that can not be monitored by Pretrial Services including smartphones, iPads, gaming devices

I acknowledge that I am the defendant in this case and that I am aware of these supplemental conditions of release and of the penalties and sanctions set forth on the back of the Release Order.

Frank Sappel
Signature of Defendant

SO ORDERED on 11/2/16, 201

/s/ Anne Y. Shields, U.S.M.J.